

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

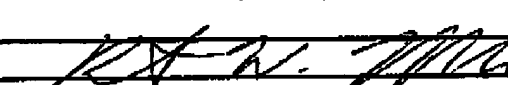
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Appeal Number	2005-0997	
	Application Number	09/844,627	
	Hearing Room	B	
	Hearing Docket	B	
	Hearing Date	Wednesday, May 04, 2005	
	Hearing Time	09:00 AM	
	First Named Inventor	Nancy A. Abbe	
Total Number of Pages in This Submission	3	Attorney Docket Number	ABBE/001 U.S.

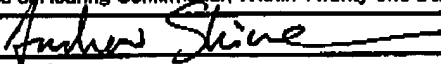
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences (please see Remarks below) <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="text-align: center;"> <b>RECEIVED</b>  <b>CENTRAL FAX CENTER</b>  <b>APR 07 2005</b> </div>
<b>Remarks</b> The enclosed Notice of Hearing Confirmation Within Twenty-one Days is completed and confirms that the undersigned attorney will attend the Oral Proceedings for the above-identified case.		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fish & Neave IP Group of Ropes & Gray LLP		
Signature			
Printed name	Robert W. Morris		
Date	April 7, 2005	Reg. No.	36,613

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosure identified above are being facsimile transmitted to (1) the BPAI Hearings facsimile no. (571) 273-0299 and (2) the USPTO central facsimile no. (703) 872-9308 on the date shown below. The date shown below is within 21 days of the mailing date of the Notice of Hearing Confirmation Within Twenty-one Days (i.e., March 24, 2005).

Signature		Date	4/7/05
Typed or printed name	Andrew Shine		

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FISH & NEAVE IP GROUP  
ROPE & GRAY LLP  
1251 AVENUE OF THE AMERICAS  
FL C3  
NEW YORK, NY  
10020-1105

Appeal No: 2005-0997  
Appellant: Nancy A. Abbe  
Application No: 09/844,627  
Hearing Room: B  
Hearing Docket: B  
Hearing Date: Wednesday, May 04, 2005  
Hearing Time: 09:00 AM  
Location: Madison Building - East wing  
600 Dulany Street, 9th Floor  
Alexandria, Virginia 22313-1450

MAILED

MAR 24 2005

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

### NOTICE OF HEARING CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquires, please contact the Clerk of the Board at 571-272-9797.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (703) 872-9306

BPAI Mailing Address: BOARD OF PATENT APPEALS AND INTERFERENCES  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: ☒ HEARING ATTENDANCE CONFIRMED ☐ HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant: [Signature] April 7, 2005 36,613  
Date Registration No.

Names of other visitors expected to accompany counsel: \_\_\_\_\_

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see  
[http://www.uspto.gov/web/offices/dcom/bpai/docs/contacts/contact\\_info.htm](http://www.uspto.gov/web/offices/dcom/bpai/docs/contacts/contact_info.htm)

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**MAR 23 2005**

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BOARD OF PATENT APPEALS  
AND INTERFERENCES**

**FISH & NEAVE IP GROUP  
ROPE & GRAY LLP  
1251 AVENUE OF THE AMERICAS FL C3  
NEW YORK, NY 10020-1105**

**Paper No:  
Appeal No: 2005-0997  
Application: 09/844,627  
Appellant: Nancy A. Abbe**

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**MAR 28 2005**

**ROPE & GRAY LLP PATENT DEPT.  
REFERRED TO RCM  
NOTED BY**

**Board of Patent Appeals and Interferences  
Docketing Notice**

Application 09/844,627 was received from the Technology Center at the Board on March 01, 2005 and has been assigned Appeal No: 2005-0997.

A review of the file indicates that the following documents have been filed by appellant:

**Appeal Brief filed on: February 18, 2004  
Reply Brief filed on: June 29, 2004  
Request for Hearing filed on: June 29, 2004**

In all future communications regarding this appeal, please include both the application number and the appeal number.

The mailing address for the Board is:

**BOARD OF PATENT APPEALS AND INTERFERENCES  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450**

The facsimile number of the Board is 571-273-0052. Because of the heightened security in the Washington D.C. area, facsimile communications are recommended. Telephone inquiries can be made by calling 571-272-9797 and should be directed to a Program and Resource Administrator.

By order of the Board of Patent Appeals and Interferences